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ONE HUNDRED TENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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January 17, 2008

The Honorable Allen Weinstein
Archivist of the United States
National Archives and Records Administration
700 Pennsylvania Avenue, NW
Washington, DC 20408

Dear Dr. Weinstein:

Over the past year, serious questions have been raised about White House compliance with the Presidential Records Act. I and others have expressed concerns that the White House is not adequately preserving the records of this Administration which must be turned over to the National Archives in just over a year.

I wrote to you about this issue on December 20, 2007. At that time, I asked for any information and documentation in the possession of the Archives relating to White House preservation of e-mails, efforts to develop electronic records management or e-mail archiving systems at the White House, and White House preparation for the transition of presidential records to the National Archives on January 20, 2009. I noted that the Committee may hold hearings in the coming months to examine the White House's past actions relating to compliance with the Presidential Records Act, as well as its plans for the handover in 2009.

This week in a court filing, the White House acknowledged that it recycled all back-up tapes of the Executive Office of the President servers dated from the start of the Bush Administration until October 2003. The decision to do this raises new questions about whether the White House has sufficient systems in place to meet the statutory requirements regarding records preservation.

The Committee on Oversight and Government Reform requests your testimony at a hearing to examine this matter on February 15, 2008, at 10 a.m. in 2154 Rayburn House Office Building. Please be prepared to discuss the issues raised in the December 20, 2007, letter, including (1) allegations that White House e-mails have been lost, (2) the adequacy of White House systems for preserving e-mail and other electronic records, (3) any new concerns that have been raised with the White House acknowledgement that back-up tapes dated before

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October 2003 were routinely recycled, and (4) White House preparation for the transition of records in 2009.

The Committee on Oversight and Government Reform is the principal oversight committee in the House of Representatives and has broad oversight jurisdiction as set forth in House Rule X. Information for witnesses appearing before the Committee is contained in the enclosed Witness Information Sheet.

If you have any questions, please contact Anna Laitin of the Committee staff at (202) 225-5420.

Sincerely,

A handwritten signature in black ink, appearing to read "Henry A. Waxman".

Henry A. Waxman
Chairman

Enclosure

cc: Tom Davis
Ranking Minority Member